NOTE

This Microfiche meets the quality requirements of the American National Standard for Microfiche of Documents (ANSI PH5.9-1975). However, because of imperfections in the document from which it was made, it contains images that are illegible or difficult to read. The source document for this microfiche is the best copy that could be obtained prior to filming.

CIS Congressional Information Service, Inc.
Washington, D.C.

S. HRG. 101-753

NOMINATION OF JERRY D. JENNINGS

HEARING

BEFORE THE

COMMITTEE ON GOVERNMENTAL AFFAIRS UNITED STATES SENATE

ONE HUNDRED FIRST CONGRESS

SECOND SESSION

ON

NOMINATION OF JERRY D. JENNINGS TO BE DEPUTY DIRECTOR OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY

MAY 23, 1990

Printed for the use of the Committee on Governmental Affairs

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1990

For sale by the Superintendent of Documents, Congressional Sales Office
U.S. Government Printing Office, Washington, DC 20402

S401-46

COMMITTEE ON GOVERNMENTAL AFFAIRS

JOHN GLENN, Ohio, *Chairman*

SAM NUNN, Georgia	WILLIAM V. ROTH, Jr., Delaware
CARL LEVIN, Michigan	TED STEVENS, Alaska
JIM SASSER, Tennessee	WILLIAM S. COHEN, Maine
DAVID PRYOR, Arkansas	WARREN B. RUDMAN, New Hampshire
HERBERT KOHL, Wisconsin	JOHN HEINZ, Pennsylvania
JOSEPH I. LIEBERMAN, Connecticut	PETE WILSON, California
DANIEL K. ALAKA, Hawaii	

Leonard Weiss, *Staff Director*
Brian A. Dettelbach, *Assistant Counsel*
Franklin G. Polk, *Minority Staff Director and Chief Counsel*
Susanne Marshall, *Minority Executive Assistant*
Michal Sue Prosser, *Chief Clerk*

CONTENTS

Opening statements: Page

Senator Levin 1
Senator Akaka 4

WITNESSES

WEDNESDAY, MAY 23, 1990

Hon. Charles S. Robb, U.S. Senator from the State of Virginia 2
Hon. Paul Laxalt, a former U.S. Senator from the State of Nevada 3
Hon. John Warner, U.S. Senator from the State of Virginia 3
Jerry D. Jennings, of Virginia, to be Deputy Director, Federal Emergency Management Agency 6

APPENDIX

Biographical information 17
Responses to prehearing questions 23
Responses to written questions submitted by:
Senator Sasser 40
Senator Wilson 46

NOMINATION OF JERRY D. JENNINGS

WEDNESDAY, MAY 23, 1990

U.S. SENATE,
COMMITTEE ON GOVERNMENTAL AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 2:06 p.m., in room SD-342, Dirksen Senate Office building, Hon. Carl Levin presiding.

Present: Senators Levin, Stevens, and Akaka.

Committee staff assigned: Brian Dettelbach, Paul Ellis (Senator Glenn); Susanne Marshall (Senator Roth); and Linda Gustitus, Jack Mitchell (Senator Levin).

OPENING STATEMENT OF SENATOR LEVIN

Senator LEVIN. The Committee will come to order. Good afternoon, everybody.

We are here to consider the nomination of Jerry D. Jennings to the position of Deputy Director of the Federal Emergency Management Agency or FEMA.

We welcome you, Mr. Jennings and your family. FEMA has been the subject of considerable public criticism in recent months. The twin tragedies of Hurricane Hugo and the earthquake in Northern California exposed the management and resource shortcomings within the agency. And even as we consider this nomination and the forthcoming nomination of FEMA's Director, a catastrophic flooding in the South and Southwest is, again, focusing our attention on how the Federal Government can adequately meet critical and sometimes overwhelming human needs brought on by unexpected natural disasters.

Some have questioned whether FEMA should redirect its budgetary and personnel priorities towards more effectively dealing with these natural disasters, instead of emphasizing civil defense preparedness programs. Some FEMA critics have even suggested that perhaps its role as the lead disaster response agency should be changed or moved to the control of another Federal entity. Of course, no final judgments on these important questions will be reached today. However, it is essential that we get the informed views of the nominee on these and other issues, which touch upon the very reasons for FEMA's creation.

FEMA is a relatively small agency, with large responsibilities. In addition, FEMA has been without a Director for the past year, which has been perhaps the most trying period in its existence. There are a lot of demands for its resources and the services of its expert personnel.

Our goal today is to determine whether Mr. Jenkins is qualified to serve FEMA in a leadership role, as we in Congress sort out—and FEMA addresses—its numerous responsibilities.

So, we welcome you, Mr. Jennings. We know you are originally from Michigan and, once you are from Michigan, you are always from Michigan, as far as we are concerned. We have one of your current sitting Senators here. I know the other one would like to be here, if he can get here, as well. A former colleague of ours is also here today and we are delighted to have him back at any time.

Let me now call on Senator Robb to say a few words.

TESTIMONY OF HON. CHARLES S. ROBB, U.S. SENATOR FROM THE STATE OF VIRGINIA

Senator ROBB. Thank you, Mr. Chairman.

I am very pleased to be here today. I believe that my senior colleague Senator Warner will be here momentarily. At least I know that he intends to be here. I know that he has another engagement that he is trying to complete and if for any reason he is not able to arrive, I hope that you will permit him to place a statement in the record.

Senator LEVIN. We will, of course.

Senator ROBB. I am also very pleased to be here with another current Virginian who might not necessarily want folks back in Nevada to know that those of us in Virginia now claim him, but to appear on behalf of Jerry Jennings. Although I did hear the Chairman's suggestion that there was a Michigan influence in his life, I am here to tell you that he has five generations of Virginians that would take issue, if we have to have any serious debate over where his roots have been put down most effectively.

Senator LEVIN. It will take many more generations than that to overcome the Michigan influence. [Laughter.]

Senator ROBB. Well, there are parts of Virginia, Mr. Chairman, where you know you have to have eight generations buried in the local county, before you are referred to as anything but "a come here." [Laughter.]

In any event, Mr. Jennings qualifies for five notches on that particular distinction. He has a long and distinguished service in the government and one of the things that I find most appealing is his service in the United States Marine Corps, a trait that he shares with my senior Senator who will be here right shortly.

I am not prepared at this point to talk a lot about FEMA. I have had some work with FEMA in the past. I would only simply say that you frequently have people that come before this Committee and others and, in effect, we say that they are here to set the world on fire, and I am pleased that we have gentleman here that can not only set it on fire, but can help us put it out and restore order after that has taken place. I am very pleased that his family is here and I hope that you will have an opportunity to meet them formally in just a minute, but I will yield to a distinguished—I cannot really call him a former colleague, because I came after he departed, but someone that I have gotten to know and have a very high regard for, the former Senator from Nevada, Senator Paul Laxalt.

Senator LEVIN. Thank you, Senator Robb. You missed a real treat, by the way, in not serving with Paul Laxalt. He was one of our favorite colleagues, and everybody's favorite colleague, and we

still see a lot of him or from time to time see him, so we cannot say we miss him totally because we still have a bit of his time, but at any rate, we are glad you are here, Paul.

TESTIMONY OF HON. PAUL LAXALT, A FORMER U.S. SENATOR FROM THE STATE OF NEVADA

Senator LAXALT. Thank you.

Senator LEVIN. We are delighted to hear your comments.

Senator LAXALT. I appreciate that. I appreciate greatly, also, being introduced by my junior Senator from the Commonwealth of Virginia. It has been an exercise in restraint, I must say, Mr. Chairman, in being a constituent now and not writing frequent constituent letters, but perhaps that time will come.

It is a true honor for me to appear before this distinguished panel in behalf of Jerry Jennings, the President's nominee for the post of Deputy Director of the Federal Emergency Management Agency. We Laxalts have known Jerry and his family for many years. They are exceptionally honorable people who exhibit the same basic decency that this nominee has exhibited in all of his endeavors.

In my view, Jerry Jennings is the ideal public servant. His impressive careers include service as a Marine infantry officer, he was an Intelligence officer in the agency for some time. He was an FBI agent. He was a White House staff member during rather turbulent times, and most recently has served as the Deputy Director of the Selective Service System.

FEMA, I think, would be truly fortunate to have a man of this stature in the deputy director's post. He is a team player who would complement the efforts of Wallace Stickney, President Bush's nominee for the directorship. Indeed, Jerry would bring to FEMA an invaluable expertise in national security affairs and experience at the senior levels of national leadership.

As a former Senator who monitored FEMA closely and as a former Governor, as well, I am fully aware of the vital but difficult missions and goals of this agency. If we are to respond effectively to disasters such as Hurricane Hugo in the future, we need to have experienced professionals like Jerry Jennings at FEMA.

I thank you for this opportunity. I acknowledge the presence of Senator Stevens. I thank you for this opportunity to introduce this nominee and ask you for a favorable consideration.

Thank you for this opportunity. I acknowledge the presence of

Senator LEVIN. Thank you, Senator Laxalt, and we have been joined, as we had hoped we would be joined, by Senator Warner.

Senator WARNER. Thank you.

Senator LEVIN. We are delighted to have you, Senator.

TESTIMONY OF HON. JOHN WARNER, U.S. SENATOR FROM THE STATE OF VIRGINIA

Senator WARNER. Thank you, Mr. Chairman.

I am quite confident that this matter has been adequately handled by my distinguished former colleague and everlasting friend, the Senator from Nevada, Mr. Laxalt, and my colleague and good friend, Mr. Robb, and for that reason I will ask to submit my state-

ment for the record. It basically characterizes the same information that has been provided by these two distinguished members.

Senator LEVIN. We thank you and it surely will be made part of the record.

[The statement of Senator Warner follows:]

PREPARED STATEMENT OF SENATOR WARNER

Mr. Chairman, it is a pleasure to come before you today to introduce and recommend the nomination of a valued constituent, Mr. Jerry D. Jennings, to serve as the Deputy Director of FEMA, the Federal Emergency Management Agency. It is all the more pleasing to point out that Mr. Jennings represents the fifth generation of his family to live in the Old Dominion.

I would call your special attention to Mr. Jennings' tour as an infantry officer on active duty with the United States Marines. This was followed by service in the Far East with the Central Intelligence Agency [CIA] in advising foreign intelligence agencies. This led to the Federal Bureau of Investigation, where he was a special agent, and later, a special assistant to the Director in the office of National Narcotics Intelligence.

Mr. Jennings then served in staff positions in the National Security Council in support of senior policymakers of four administrations. From 1982 to 1986, he was Executive Director of the White House Office of Science and Technology Policy. Since then, he has been Deputy Director of the Selective Service System.

His broad experience in Government administration should prove particularly valuable to FEMA in furthering its many missions involving the coordination of emergency planning by other Federal departments and agencies.

For my part, as a member of the Senate Armed Services Committee, I note his indepth national security experience and look forward to closely working with him.

Thank you for affording me the chance to come before you to endorse the nomination of a competent and dedicated American, Jerry D. Jennings, for Deputy Director of FEMA, and to encourage his speedy confirmation.

Senator LEVIN. We knew that you had a very tight schedule and we were hoping you could be here, and your presence, I know, means a lot to the nominee, as Senator Robb's does and Senator Laxalt's, and we thank all of you.

You may stay or leave, as you deem fit.

Let me call upon Senator Stevens at this point and see if he has an opening statement, and then Senator Akaka, we will call upon you in a moment to see if you have an opening statement, and then we will turn to our nominee.

Senator Stevens.

Senator STEVENS. Thank you very much, Mr. Chairman.

I have a conflict, too, but I came over because of the high recommendation of my long-time friend and, I understand, a former associate of Mr. Jennings, General Lessey, who has called and told me of his great respect for the nominee, I feel that is a significant endorsement, Mr. Chairman.

I am pleased to be here. I am sorry I will not be able to stay, but I, too, want to welcome you, Mr. Jennings. Thank you, Mr. Chairman.

Senator LEVIN. Thank you, Senator Stevens.

Before we call on Mr. Jennings, you have an opening statement, Senator Akaka?

OPENING STATEMENT OF SENATOR AKAKA

Senator AKAKA. Yes. Thank you very much, Mr. Chairman. I join you in welcoming our distinguished guest, the nominee for the post of Deputy Director of FEMA, Mr. Jennings, and I also wish to extend a warm "aloha" to the Jennings family.

As you know, I took office only a week ago. This is only the second Committee hearing that I have had an opportunity to attend. I assure you that I am honored to be a member of this important legislative panel and I am prepared to represent the best interests of my constituents and of the Nation in this important forum.

Mr. Chairman, I would like to note that this hearing is extremely timely where Hawaii is concerned, in view of the natural disaster that is occurring on the east coast of the Big Island of Hawaii. As many of you know from newspaper and television reports, Kilauea Volcano has been continually erupting since 1983, 7 years ago. To date, the volcano has destroyed more than 140 homes. Damage to private and public property has climbed to over $60 million. This does not include the volcano's negative impact on the local economy, agriculture, fauna and flora, or most importantly, on an entire way of life for the people there.

Only recently the town of Kalapana was eliminated as a viable community, its houses and stores having been burned down or completely destroyed by lava flows. Unfortunately, unlike the victims of Hurricane Hugo or the San Francisco quake, the citizens of Kalapana will never be able to return home. Lava has made it unrecognizable and uninhabitable.

Having personally visited the area only a few weeks ago, I bear witness to the terrible psychic and spiritual toll that arises from the permanent destruction of a community, when long-time residents are forced to acknowledge to themselves that they will never be able to return to the land they knew and loved.

Earlier this month, responding to a request by Governor Waihee which I fully supported, President Bush declared the Puna District of Hawaii a Federal disaster area, making residents eligible for low-interest loans, grants, and other forms of assistance.

I want to express once again my gratitude to the President for his humanitarian action. Although such assistance will not restore lava-inundated areas to their previous condition, Federal aid will certainly help Kilauea's victims begin to rebuild their lives elsewhere.

I also wish to express my deep appreciation to the many local and Federal officials, including FEMA employees, who have responded to the Kalapana crisis with enormous good will, competence, and energy. Their efforts should be fully recognized by those of us who serve in Congress.

Mr. Chairman, I refer to the situation in my own State in order to impress on the nominee how personally concerned I am that FEMA continue to be a positive force in the lives of those unfortunate individuals who are visited by natural or man-made disasters. I hope that the nominee will bear this in mind if and when he is confirmed by the Senate.

Meanwhile, I wish to note that I am suitably impressed by Mr. Jennings' varied and distinguished record of public service. I am confident that he has the qualities and experience, Mr. Chairman, to make outstanding contributions to FEMA's mission.

With your permission, Mr. Chairman, now or later I would like to address a few questions to Mr. Jennings.

Thank you very much.

Senator LEVIN. Thank you, Senator Akaka.

We are delighted that you are a member of this Committee. You will be making a real contribution to it. We know of your reputation in the House, and we are just delighted you are with us here.

Mr. Jennings, Committee rules mandate that an inquiry be conducted into the experience, qualifications, suitability, and integrity of nominees. The Committee has received from you financial statements as well as detailed information on your educational background, employment record, and professional achievements.

In addition, our nominee has responded in writing to prehearing questions submitted by the Committee concerning the duties and responsibilities of the deputy director of FEMA. Copies of the biographical information and prehearing responses will be placed in the record as part of this hearing, and are available upon request. Financial statements are available for inspection by the public in the committee office.

Committee investigators have reviewed Mr. Jennings' biographical and financial information. In addition, staff have examined the financial disclosure report submitted by the Office of Government Ethics and the respective agency ethics officer to ensure that no conflicts of interest are present.

The Chairman of the Committee, Senator Glenn, and ranking minority member, Senator Roth, have reviewed the FBI background investigation report on our nominee. And finally, Mr. Jennings has been interviewed in private by designated Committee staff members prior to this hearing.

Committee rules further require that the nominee be under oath while testifying on all matters relating to his suitability for office, including the policies and programs which he will pursue while in that position.

So I would ask you to stand, Mr. Jennings.

Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. JENNINGS. I do.

TESTIMONY OF JERRY D. JENNINGS, OF VIRGINIA, TO BE DEPUTY DIRECTOR, FEDERAL EMERGENCY MANAGEMENT AGENCY

Senator LEVIN. Do you have a prepared statement, or would you like to make a statement at this time that is a briefer one? If you have a fuller statement, that will be entered into the record.

Mr. JENNINGS. Yes, sir. I have a brief statement I would like to read.

Mr. Chairman, may I introduce my family to the Committee?

Senator LEVIN. We would be delighted to have you do that, as a matter of fact.

Mr. JENNINGS. Thank you, sir.

Senator LEVIN. I should have done that before, but please, do.

Mr. JENNINGS. This is my wife, Misako; my daughters, Victoria and Catherine.

Senator LEVIN. Well, we welcome your entire family. We know how proud they are of you. Do you have two children?

Mr. JENNINGS. I also have three: I have a 3-year-old, Elizabeth. I thought maybe it would be best not to bring her here today.

Senator LEVIN. Well, I tell you, I have three daughters, too, so you have one vote for confirmation going in. [Laughter.]

Please proceed.

Mr. JENNINGS. Thank you, sir.

Mr. Chairman, I would first like to express my appreciation to Senator Robb and Senator Warner for their gracious support, and to an old family friend, your former colleague, Senator Paul Laxalt, for adding his support to myself and my family. But most important, Mr. Chairman, I am grateful for the chance to appear before this distinguished Committee and to answer any questions you may have.

It is especially meaningful to have a Senator from my native State chairing this hearing today. Michigan, where I grew up, went to school, and where most of my family and many of my friends still reside, is still home to me.

Parenthetically, as one indication of that, my daughters are Detroit Tiger fans.

Senator LEVIN. I knew they had a very educated look about them.

Mr. JENNINGS. I am also greatly honored by the President's nomination of me as Deputy Director of the Federal Emergency Management Agency. It is the high point of my 28 years of Federal service to be called by President Bush to serve in his administration.

I have found that FEMA has many programs and responsibilities which relate in some way to my background. Because of these common interests I look forward to working with FEMA and its employees. Considering the magnitude and scope of the Hurricane Hugo and Loma Preata earthquake disasters, I take pride in echoing the compliments of President Bush on a job well done under the most difficult of circumstances.

In the same vein, Mr. Chairman, I want to extend my personal gratitude to the members of the Committee and the staff that supported you for this hearing. May I say, I have been deeply impressed by the interest and knowledge shown by the staff in matters related to FEMA. In this regard, I want to take this occasion to say, I hope this is the start of a productive and open relationship. I pledge to you today that I will do my part to make it so.

I have served since 1986 as Deputy Director of the Selective Service System, sometimes doubling as Acting Director, as well. Just as Selective Service is a civil agency serving the needs of our armed services, so does FEMA coordinate inter-agency planning for civil mobilization and national security in the support of our military forces.

My experience as Executive Director of the Office of Science and Technology Policy in the White House from 1982 to 1986 enables me to interact closely with the scientific and technical community, with a keen appreciation for its complexities and the vital role it plays in the work of Federal agencies like FEMA.

In a similar vein, I served under four administrations from 1973 to 1982 with the National Security Council (NSC), contributing to policy-making in areas of national security and domestic intelli-

gence. As you know, the Director of FEMA serves as an advisor to the National Security Advisor to the President in the national security preparedness area. I feel my background here will also be helpful at FEMA.

I look forward to renewing close personal and professional ties with the NSC staff and its distinguished leader, Lieutenant General Brent Scowcroft, who is the single finest person I have ever had the privilege to serve under.

In FEMA there are a tremendous variety of other programs to protect life and property, including peacetime disaster response, flood insurance, and programs to help the fire community protect Americans from this devilish scourge. The experience with the Loma Preata earthquake in California suggests that FEMA's earthquake program can save many lives. I look forward to the challenge of helping to make FEMA's life-saving programs even more responsive to the needs of the American people.

Most important, I believe my background would complement that of Mr. Wallace Stickney, the President's nominee for FEMA Director, and that we would make a good team.

I would like to comment very briefly on what I view as an important discussion of nuclear versus natural disaster programs and planning.

Since 1989, we have all been living in a significant and exciting time with the advance of democracy in Eastern Europe and around the globe. We must take a new look at our national priorities, and the administration and the Congress are doing just that. The results of that review will certainly have an impact on FEMA's policies, programs, and priorities.

On the one hand, dual use of civil defense and continuity of Government resources materially and legitimately benefit peace-time disaster response. But on the other hand, in my view, such resources remain necessary to meet our national security concerns. Even as tensions lessen with our traditional adversaries, accidental war, hostile actions from unstable Third World leaders, and major terrorist incidents are threats that remain with us.

Mr. Chairman, thank you again for the opportunity to speak to you and your committee today. I do look forward to working with the Congress, with this committee and staff. I would be pleased now to answer any questions the committee may have.

Senator LEVIN. Thank you, Mr. Jennings.

Before I turn to some other questions, there are three questions which are required to be asked.

First, do you know of any reason, personal or otherwise, that would in any way prevent you from fully and honorably discharging the responsibilities as Deputy Director of the Federal Emergency Management Agency?

Mr. JENNINGS. No, sir.

Senator LEVIN. Is there anything you are aware of in your background which might present a conflict of interest with the duties of your office?

Mr. JENNINGS. No, sir.

Senator LEVIN. Do you agree, without reservation, to respond to any reasonable summons to appear and testify before any duly-constituted committee of Congress if you are confirmed?

Mr. JENNINGS. I do.

Senator LEVIN. Thank you.

If confirmed, Mr. Jennings, you will be leading FEMA prior to the confirmation of a new director for the agency, and I am wondering whether you have thought about a priority list of tasks to be undertaken at FEMA in the weeks to come, and if so, what are the top three or four items on your list?

Mr. JENNINGS. I am working with Mr. Stickney at this point, Senator, on that issue. It has not been finalized, but the list will certainly deal with looking at the organization, looking at the response to Hurricane Hugo and the Loma Preata earthquake, and determining how we might best make positive changes in the agency in the shortest period of time.

This year, my information is, we have already had 23 Presidentially declared disasters. This is the annual average for the agency. So our activity and adjustment must reflect this reality, and become time-sensitive, as we transition into our roles.

Senator LEVIN. During informal interviews with Committee staff, a number of FEMA-related issues were identified to you as being of concern to us. I would like to just address a couple of those.

First, you were told that the Committee is concerned about the treatment accorded whistleblowers and other professionals who voice management concerns inside the agency, and a large number of those concerns have proven to be legitimate. Several cases were cited to you. What are you going to do to ensure that FEMA employees who point out deficiencies at FEMA are not mistreated and are, instead, encouraged?

Mr. JENNINGS. Sir, I have, as I pointed out, spent 28 years in this Government. This is my first Presidential appointment. I feel very strongly that all employees must be treated fairly, and whistleblowers certainly fit into that category. In my view, they generally are doing the Government a great favor by identifying a problem that, institutionally, should have been focused on much earlier.

I can assure this committee that I will do everything I can to protect whistleblowers and enhance the Office of the Inspector General (IG), in accordance with the act, but perhaps, sir, more importantly, to ensure the spirit of that law is followed as well as the letter.

Senator LEVIN. One of the important duties of FEMA is interagency planning and preparedness for terrorist attacks. The Committee staff conveyed to you that the agency's work in this area has been seen by some to be somewhat lax, and you seem to be aware of that problem. What are you going to do to improve cooperation with other agencies in this regard?

Mr. JENNINGS. Informally, sir, I have already started on that. I, 7 weeks ago, talked to Judge Sessions about getting together with him and discussing the interface between the FBI and FEMA, how we might better address our mission. I have a strong personal interest in this matter. Part of my career was dedicated to counterterrorism, and I will certainly follow up on the Committee's concerns.

I may also add that next week, I have a meeting with the Commandant of the Marine Corps on the same subject. It is because of

my great personal interest that I have already started moving on this issue.

Senator LEVIN. Would you go a little more deeply into your own views on the question of whether or not the agency is spending too much of its resources on nuclear war attack scenarios and not enough of its resources responding to natural disasters, which we have seen a disproportionate number of already this year?

You have indicated that is under review and should be under review by the administration and by the Congress. Can you give us your own personal assessment, what your feelings are on that?

Mr. JENNINGS. Yes, sir.

This would be based on briefings and information I have received, not on first-hand experience, but my information is that less than 20 percent of FEMA's budget and fewer than 15 percent of their personnel are dedicated to the military aspect of civil defense, the nuclear attack scenarios. The dual use concept has been referred to a lot in relationship to FEMA and its mission. It was part of the original charter, and is indeed alive and well. The agency seems to me today to be practicing what they identify, or characterize, as an all-risk approach to disasters.

The budget is dedicated to these all-risk activities and not nearly as much as some might suspect to the nuclear attack, conventional warfare, and continuity of government scenarios.

Senator LEVIN. If FEMA's efforts were focused more on natural disasters instead of on all risks, which include nuclear war, which is a scenario the likelihood of which has got to be some obscure fraction of 1 percent, do you think that we would respond better to natural disasters if we focused more on them, rather than included them with a long list which included nuclear attack?

Mr. JENNINGS. I would be concerned, sir, if they were not part of the focus of the agency.

Senator LEVIN. In other words, does it blur that focus? Does it make that focus less concentrated on what we know is going to happen, which are natural disasters, by including the not only unlikely but the unthinkable?

Mr. JENNINGS. There are different categories of threat. I think in terms of dealing with our post war adversary, in terms of certainly recent decades, that is true. But if one focuses on an accidental war, if one focuses on terrorism, if one focuses on the unstable personalities and characters that lead a few countries in the Third World, I believe it raises a real question as to how much we want to drop that protection; how much we want to decrease it.

I would, I believe, at this point in time, sir—and this is certainly something that deserves study and, as you pointed out, is being studied—I would at this point in time, if pressed for an answer, prefer to see additional resources provided for natural disasters and maintain the funds we currently have available for civil defense focused on attack scenarios.

Senator LEVIN. How does your 80 percent figure relate to your written response to the Committee's question where you stated that the primacy role for nuclear attack preparedness over peacetime disaster and emergency planning should be reviewed to see if it remains the greatest priority today, as it has been in the past?

Mr. JENNINGS. Sir, I am in favor of a review.

Senator LEVIN. You said "primacy role." I am not sure what you meant by that, if it is only——

Mr. JENNINGS. That is apparently a term of art in the emergency community. It is not my term, sir; I embraced it. My sense is that it is not an either/or situation; it is a matter of how much support we provide on each side.

Senator LEVIN. FEMA has been criticized in recent months for its response to certain natural disasters, and that is not a criticism in any way of the hundreds, maybe thousands, of employees who are dedicated and have done a tremendous job under sometimes very difficult circumstances. But there has been some evidence that some things are not being done properly, and I am wondering what you think the agency should be doing differently in these natural disaster situations than they are now.

Mr. JENNINGS. Not being over there yet, I think I can speak somewhat objectively. It seems to me that it is grossly unfair to judge an agency's response to two disasters that are historic in scope and nature. Two of the biggest disasters, which this country has ever experienced, occurred, and the critics seem to feel that the results should have been as they have been for the 22, 23 normal disasters that occur each year.

To me, it is unrealistic to have that expectation. I think the agency took a lot of criticism it did not deserve. And the thing that has impressed me the most is that they have gone out in an after-action fashion and sought constructive comments and criticism from the public at large, from the Congress, from the media, from all sources. They are currently reviewing the results of that effort under the heading of "lessons learned".

I think that is a very constructive exercise, it is a very positive exercise, and I think it puts the whole tragedy, the disasters, in a broader context where they can be better understood. If we are going to dedicate agency resources on a disaster that might occur once every hundred years, then we need to make that decision and adjust to it attitudinally. If the Congress and the President decide that these were indeed unusual events, and should be treated accordingly, then I would hope the critics would do the same.

Senator LEVIN. Thank you. My first round time is up.

Senator Akaka?

Senator AKAKA. Thank you very much, Mr. Chairman.

Mr. Jennings, FEMA has been criticized for its lack of management efforts relating to earthquake hazards reduction program, which includes volcanic hazards. The scientific community has been particularly critical of FEMA's apparent lack of leadership to ensure that this program is adequately funded.

What will you do as deputy director, Mr. Jennings, to respond to this criticism?

Mr. JENNINGS. I will certainly, upon confirmation, make it a high priority to review the circumstances in the situation regarding the agency's focus on earthquakes and earthquake-related disasters. I believe Loma Prieta accomplished something positive, and that was, it increased the visibility, the focus, and the attention on that great disaster, on that type of disaster, generically, and so that was of assistance. But certainly, more needs to be done in the way of planning, and I intend to get actively involved in that.

Senator AKAKA. Recent events in the Pacific brought to light the problem of delays in communication between field workers in the disaster area and the regional office, the regional office with the Washington office. Because of the unique location of Hawaii and the flag territories in the Pacific, I believe that it is especially important to have in place an efficient communication system which takes into account time differences and the distance from the Continental United States to Pacific jurisdictions.

Do you agree that there is a problem, and if so, what plans do you have to respond to this problem?

Mr. JENNINGS. Senator, I was unaware of that problem, but I certainly do agree with you and it is something that, if confirmed, I would look at.

Senator AKAKA. As I indicated——

Mr. JENNINGS. May I add, Senator, I have been told that FEMA may have one of the finest communications networks in the country, if you do not look at DOD and a few of the big agencies. So that would make it especially troubling that this type of communication problem would develop with Hawaii.

Senator AKAKA. As I indicated, the President did declare Kalapana a disaster area.

Mr. JENNINGS. Yes, sir.

Senator AKAKA. As Deputy Director, would you commit to keeping the Hawaii delegation in close touch with developments there? For example, it would be helpful if FEMA provided us with continually-updated status reports. I was just about to ask for a briefing from FEMA on particularly the Kalapana disaster so I can be brought up to date on that.

Mr. JENNINGS. Sir, may I respond to that?

Senator AKAKA. Yes.

Mr. JENNINGS. The fine FEMA staff is advising me the disaster assistance started today in Hawaii. In answer to your question, if confirmed, I will certainly make that commitment that I will keep you advised. I suspect that the congressional liaison people in the room from FEMA today will have you briefed long before I get over there.

Senator AKAKA. As you know, FEMA underwrites 75 percent of the funding for individual and family grants with local governments matching 25 percent. I am concerned that as the Federal Government continues to have fiscal pressures, Washington will move toward increasing the local share. As deputy director, would you use your influence to ensure that the financial burden on State and local governments is not increased?

Mr. JENNINGS. Sir, I would have to study that. I have not been briefed on the formula, the rationale that goes into that formula or the history of it, but I will assure you that I will study that.

Senator AKAKA. Well, as you know, we have had an unusual year with disasters, with the storm and with the earthquake and now Kalapana.

Mr. JENNINGS. The one thing that comes to mind, Senator, is that there should be some disincentive in the system to keep a governor from making that phone call too soon, and that may be it.

Senator AKAKA. In light of the unexpected number and scope of recent disasters, we know that this has strained FEMA's budget.

Would you support an increased budget for additional staff for FEMA?

Mr. JENNINGS. There is a lot of pressure, a lot of recommendations, sir, certainly in that direction. As deputy, I would obviously have to consult with the director, but all evidence seems to be pointing in that direction, sir.

Senator AKAKA. Well, the Kalapana volcano disaster represents a number of different aspects to FEMA's conventional type of assistance. Would you respond as to how you would deal with conditions where a home is left standing unharmed while surrounded closely by lava and where the land would be uninhabitable again, and the kind of assistance that might be provided for these families?

Mr. JENNINGS. Sir, both regarding Hawaii and the Loma Prieta earthquake, I heard a number of stories like this that would require study and maybe even some technical advice. The earthquake story I am thinking about was the lawsuit regarding the homeless.

My feeling, and it is a strong feeling, is that whenever possible, every time the Government can, it should demonstrate extreme compassion. I will do everything I can do in the way of recommendations and with the influence of my office to accomplish that.

Senator AKAKA. I really like your statement about expressing extreme compassion, because the day I visited the disaster area, the day when the lava was down in the village, and I stood just a few feet away from it and watched that red hot magma just move into the fields and trees, on the road, and had a chance to meet with the people, I was extremely impressed by the spirit of the people when, as I met with them, some of them expressed the feeling that, "We will rise like the phoenix from the ashes."

Mr. JENNINGS. Wonderful.

Senator AKAKA. And that was great for me. I think they helped me more than I did them. But I feel compassion, too, for the people there, and I believe that you in your position and I in mine should express all the compassion we can in trying to assist them. So I am grateful for your statement.

Mr. JENNINGS. Thank you, sir.

Senator AKAKA. Thank you, Mr. Chairman.

Senator LEVIN. Thank you, Senator Akaka.

At Senator Akaka's urging and because of his concern, this Committee will be interested in FEMA's response to that disaster in Hawaii. Senator Akaka obviously is personally very, very much interested, but this Committee as a whole, at his urging, will also be interested as to how FEMA responds to that disaster.

Mr. JENNINGS. Yes, sir.

Senator LEVIN. So if you could keep us informed, as well as Senator Akaka, it would be useful.

Mr. JENNINGS. We will, sir.

May I add something to that?

Senator LEVIN. Surely.

Mr. JENNINGS. When you were explaining your experience in that village, I recalled an event of about 40 years ago when I lived in a place called Flint, Michigan. It was then that the second-worse tornado in the history of the United States swept through the northern part of the city. I can still remember to this day my reaction as a kid when a few days later the National Guard was pulled

back and people were allowed to go through, witnessing that devastation. It has remained with me, even though I have had a lot of other experiences that you would think would sort of erase it from my mind. It has remained with me as have my thoughts as a child about these poor people that had their homes just wiped out. It looked like some giant hand had just reached down and wiped them off the earth. The tornado went down Cold Water Road, and it just wiped every building and structure on that road out for blocks and blocks. It was like they never existed. There was just loose lumber all around.

One picture that became famous from that tornado was a refrigerator door that was impaled on a tree limb. The trees did not have any leaves, the small branches were blown away, but this refrigerator door was sticking up there on the tree. Over a hundred people were killed in that tornado, and I think second to Waco, Texas, it remains the worst ever.

So I have those same feelings and share your compassion, sir.

Senator LEVIN. Thank you, Senator Akaka.

I must tell you, Mr. Jennings, I remember very well that day myself, although I did not live in Flint. Thirty-five, forty miles away the sky was dramatically dangerous, and it was one of the worst events in my young life, too, just being near there where so many people were killed. So I am glad it made that impression on you. I think those kind of personal reminiscences do have an effect, and we do look forward to FEMA's taking a very compassionate approach to this disaster as well as other disasters.

I have some additional questions for you, Mr. Jennings, about the so-called Debategate. You discussed with the Committee staff your role in and knowledge of the controversy known as Debategate, and apparently you were at one point accused as being the source of some of the President Carter briefing book materials which ended up in the hands of the Reagan campaign staffers prior to the 1980 presidential debate.

I am wondering if you could tell us whether or not you participated in, in any way, the passing of such materials, or whether you had any knowledge of, either then or earlier, the passing of briefing materials of any kind to the Reagan campaign.

Mr. JENNINGS. No involvement, sir, and no knowledge. And may I say, that was an allegation from one man. The story lasted only 1 or 2 days, because of his lack of credibility in this town. Thanks to the media, he was exposed.

Senator LEVIN. The allegation, as I understand it, was made by Richard Allen, it was made publicly and then later on was somewhat either withdrawn or softened or muted or changed. Is that your recollection?

Mr. JENNINGS. Sir, he never publicly made the allegation, to my knowledge.

Senator LEVIN. Or he said that he had heard——

Mr. JENNINGS. He reportedly said he heard it. My attorney, who checked it out very thoroughly, could not discover at the time whether my name had ever passed his lips.

Senator LEVIN. I see. So that in order to be very accurate on this, there was no specific allegation. There was just a description which

led people to believe that he was suggesting that you were the source?

Mr. JENNINGS. Yes, sir.

Senator LEVIN. Have you ever told anybody that you knew or that you thought you knew how those materials got to where they did in the Reagan campaign?

Mr. JENNINGS. No, sir, but I received over 120 phone calls. It was the old thing about being famous for a few hours or days. The LA Times broke that story and in the next few days I received over 120 calls from the media. The White House guidance to me was, "keep the White House out of it, keep the President out of it, keep senior administration officials out of it, and defend yourself as best you can." Further guidance from the communications office was that I should be cooperative with the media, that it was in my interest.

So in answer to your question, the majority of those reporters all had a pet theory and they would ask, "Well, what do you think about this?" In every case, since I had no knowledge, I offered them the logical response to what they said. "Well, no, that could not happen. That person would not have access," or something like that, and I am talking about a few minutes of conversation. I avoided any lengthy conversations. But under those circumstances, I did try to knock down stories so that others would not be victimized the way I was.

Everyone who worked in the White House was on the suspect list with the media.

Senator LEVIN. So that the answer to the question as to whether you ever have told anybody that you had an opinion or a thought as to how the materials got to the Reagan camp is that you have never said that to anybody, is that correct?

Mr. JENNINGS. I have so many opinions, sir, I cannot categorically state that I have never said I had an opinion. My opinions would not have been based on observation; they would have been based on something I would have read in the newspaper, and since there were so many theories floating around, I may at one point or another have said, "This article in Time Magazine makes sense," or something like that. I cannot recall such an occasion, but I would hate to say I never had an opinion on that issue.

Senator LEVIN. Or expressed it?

Mr. JENNINGS. Yes, sir.

Senator LEVIN. Senator Akaka, do you have any other questions?

Senator AKAKA. No.

Senator LEVIN. We thank you. We are glad you are here with your family today. Again, we know how proud they are of you and you are of them.

The record of the Committee will be kept open in order for members of the Committee to submit additional written questions to you, and we would all appreciate your prompt attention to any such written requests.

The Committee now stands adjourned.

[Whereupon, at 2:56 p.m., the Committee was adjourned.]

APPENDIX

BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES

A. BIOGRAPHICAL INFORMATION

1. Name:
   Jerry D. Jennings

2. Position:
   Deputy Director
   Federal Emergency Management Agency

3. Date of nomination:
   March 20, 1990

4. Address of Residence:
   9004 Streamview Lane
   Vienna, Virginia 22182

   Address of Office:
   1023 31st Street, N.W.
   Washington, D.C. 20435

5. Date and place of birth:
   July 2, 1940 Flint, Michigan

6. Marital status:
   Married to Misako Sonoda

7. Names and ages of children:
   Catherine, 12.
   Victoria, 9.
   Elizabeth, 2.

8. Education:
   Grand Blanc High School, 1954-1958, diploma.
   Mott Community College, 1958-1960.
   University of Michigan, 1960
   Eastern Michigan University, 1960-1961, B.S.
   John Jay College of Criminal Justice, City University of New York, 1970-1971.
   John F. Kennedy School of Government, Harvard University - 1987.

9. Employment record:
   - o United States Marine Corps, Infantry Officer, 1961-1965.
   - o Central Intelligence Agency, Intelligence Officer, 1965-1968.
   - o Federal Bureau of Investigation, Special Agent, 1968-1972.
   - o Office of National Narcotics Intelligence, Department of Justice, Special Assistant to the Director, 1972.
   - o National Security Council, Staff Member, 1973-1982.
   - o Office of Science and Technology Policy, Executive Office of the President, Executive Director, 1982-1986.
   - o Selective Service System, Acting Director - 1987, Deputy Director, 1988 - Present.

10. Government experience: List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

None

11. Business relationships:
Partner in a joint-venture in Beaufort, South Carolina. Own 1/3 interest in two residential rental properties.

12. Memberships:
The Army & Navy Club
Marine Corps League
The Military Order of the Carabao
Sons of the American Revolution
Sierra Club
National Wildlife Federation
Foster Parents Plan

13. Political affiliations and activities:
None

14. Honors and awards:
- o The National Society of the Sons of the American Revolution Good Citizenship Medal in recognition of notable services in behalf of our American principles.
- o Marine Corps League National Commandant's Special Award in recognition of extraordinary service.
- o Who's Who in America.

15. Published writings:
New York Times. Op Ed article attached.

16. Speeches:
No speeches or topics relevant to the position for which I have been nominated.

17. Selection:
(a) Do you know why you were chosen for this nomination by the President?

I think I've been afforded this honor by the President because I have served for over twenty-seven years with some of the nation's finest institutions, and also at some of the highest councils of government. During this service, I have been fortunate enough to receive high ratings for competence, integrity, initiative, and experience. It has been a rich and fulfilling career and I believe the President is aware of my desire to continue to serve the United States Government and my fellow citizens.

(b) What do you believe in your background or employment experience affirmatively qualifies you for this particular appointment?

I believe my career experience in its entirety qualifies me for this appointment.

During the period from 1973 through 1986, while I worked at the White House on the National Security Council staff and at the Office of Science and Technology Policy, I was involved at the senior most level of government working on highly classified and extremely sensitive political, intelligence, and scientific matters.

My administrative and management responsibilities greatly increased when I went from the management of a small White House office, the Office of Science and Technology Policy, to managing a federal agency, the Selective Service System.

President Ronald Reagan appointed me Acting Director of the Selective Service System on July 9, 1987. I served in that capacity until December 18, 1987, responsible for formulating and implementing agency policies and programs and in providing direction to the system responsible for supplying the Armed Forces Manpower adequate to ensure the security of the United States during a national emergency. From 1988 to present, I advised and assisted the Director in performing those same duties.

Previous to my appointment to the Selective Service System. I was the Executive Director of the Office of Science and Technology Policy (OSTP) at the White House. From 1982-1986, I was responsible for the general management of the agency. I also served concurrently as the Executive Director of the White House Science Council and planned and administered their activities.

Prior to joining OSTP, I was an advisor to the Assistant to the President for National Security Affairs. From 1973-1982, under four Administrations, I was responsible for establishing and maintaining policies, procedures, and standards relating to the security and domestic intelligence concerns of the National Security Council at the White House.

I served in a number of other responsible and sensitive positions in the United States Government before my White House service. At the Department of Justice from 1968-1973, I was a Special Agent with the FBI in Memphis, Tennessee, and New York City, until 1972 when I was appointed a Special Assistant to the Director of the Office of National Narcotics Intelligence. With the Central Intelligence Agency from 1965-1968, I saw duty in the Far East as an advisor to foreign intelligence agencies. I served on active duty with the United States Marine Corps as an Infantry Officer, completing my military service as a Captain.

B. FUTURE EMPLOYMENT RELATIONSHIPS

1. Will you sever all connections with your present employers, business firms, business associations or business organizations if you are confirmed by the Senate?

   Yes

2. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation during your service with the government? If so, explain.

   No

3. Do you have any plans, commitments or agreements after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization?

   No

4. Has anybody made a commitment to employ your services in any capacity after you leave government service?

   No

5. If confirmed, do you expect to serve out your full term or until the next Presidential election, whichever is applicable?

   Yes

C. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients or customers.

   One-third interest in a Joint Venture in two townhouses at Marsh Harbor, Lady's Island, South Carolina

2. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

   None

3. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

   None

4. Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration and execution of law or public policy.

   I have not attempted, directly or indirectly, to influence any legislation.

5. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items. (Please provide copies of any trust or other agreements.)

   I have no current conflict of interest and will avoid even the appearance of such a conflict in the future.

6. Do you agree to have written opinions provided to the Committee by the designated agency ethics officer of the agency to which you are nominated and by the Office of Government Ethics concerning potential conflict of interest or any legal impediments to your serving in this position?

   Yes

D. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

   No

2. Have you ever been investigated, arrested, charged or held by any Federal, State, county or municipal law, regulation or ordinance, other than a minor traffic offense? If so, provide details.

   No

3. Have you or any business of which you are or were an officer ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.

   No

4. Have you ever been convicted (including pleas of guilty or nolo contendere) of any criminal violation other than a minor traffic offense?

   No

5. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

   There is no additional information that should be considered in connection with this nomination.

E. FINANCIAL DATA

(retained in committee files)

Responses to Prehearing Questions

I. NOMINATION PROCESS AND POTENTIAL CONFLICTS

Question 1. Why do you believe the President nominated you to serve as Deputy Director of the Federal Emergency Management Agency (FEMA)?

Answer. There are, in fact, several reasons why I believe that I was selected to be nominated as the Deputy Director of the Federal Emergency Management Agency.

First, respected members of the U.S. Congress, Governors and Mayors have been quoted on the need for a strong, experienced management hand as the Deputy Director of the agency to which the Nation looks for leadership in preparing for, responding and recovering from all disasters and emergencies -- from the smallest of fires to catastrophic disasters, and even war.

I believe I can bring that leadership to FEMA. Both my education and experience have equipped me to accept this challenge, and will allow me to be of invaluable assistance in advising and assisting the Director of FEMA in formulating and implementing Agency policies and programs and in providing direction to the 140 programs for which FEMA is responsible.

Second, I come uniquely prepared to assist the Director in one very essential area: national preparedness. Under four Administrations, I served Presidents of the United States in the field of national security. FEMA's role in national security -- that of assisting the United States in ensuring a capability to meet essential needs during any national security emergency -- will be well served by my experience and background in this field.

Third, with the eyes of the world increasingly looking at earthquake hazard reduction, my background in planning and administering science activities will help in my oversight of FEMA's leadership role in this critical field.

And, fourth, is my interest in serving the people of our great Nation. I have spent most of my career doing this, and I am committed to continuing that service. Continuing it as a leader of the Agency charged with decreasing the loss of American lives and property from disasters and emergencies is one to which I can be strongly dedicated.

Question 2. What specifically in your background and experience affirmatively qualifies you for this position?

Answer. Many of the fields in which I have been involved throughout my career have allowed me to develop the kind of expertise and management style needed by FEMA. As a U.S. Marine, I was involved in military emergencies. The basic premises of military emergencies are transferrable to domestic and civil emergencies.

As a Science administrator and advisor, I honed my management skills, and my knowledge of science and high technology. These skills will help in FEMA's critical role in emergency communications.

As a national security strategist and manager, and as a Deputy Director for the Selective Service System, I learned more about the way the Federal Government works, and bring to the position of Deputy Director that knowledge, one that will be invaluable to the FEMA Director, in helping us together get the job done.

That knowledge and experience also, as I have already said, will aid in carrying out one of FEMA's missions....ensuring that the Nation can carry on during any national security emergency.

Question 3. Were there any conditions, express or implied, attached to your nomination to be FEMA Deputy Director.

Answer. Except for those prescribed by law for any U.S. citizen becoming a member of the U.S. Government team, none.

Question 4. Have you made any commitments with respect to the policies and programs which you will attempt to implement as Deputy Director?

Answer. None, except those commitments I have made to myself....to serve in this position to the best of my ability, and to improve the preparedness, response, mitigation, and recovery emergency management posture for the entire United States, working as a team member with the Agency's staff towards this end, and to fulfill the responsibilities I take on as Deputy Director.

Question 5. Are there any issues involving FEMA from which you may have to disqualify or recuse yourself? If so, what system will you establish to carry them out?

Answer. To the best of my knowledge, I have no conflicts of interest affecting any FEMA issues. If, however, there were any, I would take action to excuse myself from any such private interests by (blind trusts....selling stock....resigning from clubs).

II. ROLE AND RESPONSIBILITIES OF FEMA DEPUTY DIRECTOR

Question 1. What do you consider to be the mission of FEMA?

Answer. Exactly what its written message states:

> "Under the direction of the President, the mission of the Federal Emergency Management Agency is to plan for and coordinate the protection of the civilian population and the resources of the Nation, to include planning for the continuity of constitutional government, in time of emergency."

To carry this mission out, FEMA should, and does, act as the focal point for all levels of government in developing a national emergency capability that enables Federal, State and local governments to deal effectively with any emergency.

That emergency could be the floods in Texas, Arkansas, and Oklahoma...it could be a devastating hurricane, such as last year's Hurricane Hugo....or an earthquake such as the Whittier Fault quake which hit Los Angeles in 1987, or the Loma Prieta quake that shook Santa Cruz and San Francisco just last October. Or, it could even be a war.

Question 2. What do you believe are the major challenges confronting FEMA, and how do you propose to address them?

Answer. There are several priorities that must be addressed:

o Rebuilding the credibility of the Agency, damaged nationwide by the media reports of its response to Hurricane Hugo, the most catastrophic hurricane to hit the United States and its territories in centuries. It flattened Saint Croix, cut a path that made some 250,000 Puerto Ricans disaster victims, devastated areas of South Carolina, and raised havoc in North Carolina.

Because many Federal, State and local government officials really misunderstood the agency role....that of long term recovery rather than that of a first responder...the Agency image was tarnished by those reports.

Which means we must tell the FEMA story....we must let government officials and the American people judge us on what we can do -- not on what we can't do. And while doing this, we must also do something else...a better job of getting out the emergency information that will help citizens be better prepared to save their lives and their property when disaster strikes. In

catastrophic disasters, government workers and volunteers alikemight not be able to come to the rescue for as long as 72 hours...due to power outages, communications failures, and building collapses preventing rescuers from reaching the victims.

o Increasing the staff and the resources of FEMA's disaster assistance program office, which had only 233 full time people to respond to Hurricane Hugo, and only about 800 of the disaster assistance reservists available to help. This stretches thin the capabilities of those staff trained to do the job, and when 1 month to the day the hurricane struck, the Loma Prieta Earthquake strained the response capabilities of that staff even more.

It is true that some 3500 people ended up on the FEMA disaster assistance roles in responding to these two events (and FEMA itself has only about 2500 people nationwide to accomplish all its 140 program responsibilities), and the Agency did do the job...and if you will talk to most of the victims, a very good job. But training people to help restore a community and its people while they're on the job is not the ideal way to accomplish that mission.

We will need to work both with the White House and with the U.S. Congress to accomplish this challenge, but a well trained staff of people will serve the American public and its economy.

I am sure you are aware that the Agency's disaster force is being strained once again to respond to the needs of the people in Texas, Arkansas, and Oklahoma, which are experiencing the worse floods those states have ever known....in Hawaii where more than 140 families have seen their homes destroyed as the molten lava from Kilouea moved over them towards the sea....And, in other states, there may well be a call for Federal help.....Missouri and Kansas, Illinois and Indiana are experiencing flooding problems.

Hurricane season begins the end of next week. Forecasters are saying we could have another Hugo.....and maybe more than one.

o Studying the need for legislative change to the Disaster Relief Act of 1974, now known as the Stafford Act due to its expansive amendment changes made in November of 1988.

If indeed, the Congress and the American people want us to become "first responders," then the legislation governing our activities under the Act need to be changed, and we will also need to be given the resources and the people that will allow us to play that role.

Currently, the Disaster Relief Fund is not activated until the President signs a major disaster declaration for the State or States where the disaster hit. Even then, FEMA is limited in its recovery activities, since it can only answer to what the State tells the agency are its needs.

o Examining with the White House and the Congress the "primacy" role for nuclear attack preparedness under the Civil Defense Act.

Just a short time ago, in previous sessions of Congress, the Armed Services Committees once again admonished FEMA to assure that its Office of Civil Defense continued to stress nuclear atttack preparedness and to ensure that the funds appropriated under this authority were expended to accomplish this. The dual-use amendment to the act could only come into play if its use for natural and technological hazards does not deter from...or detract from...the planning, exercising, and guidance needed to prepare the country for survival should a nuclear war begin.

With the changing face of the world, and its movement towards democracy, the fear of nuclear war is subsiding. But, it could easily swing back again with the rapid increase in the technical knowledge necessary to manufacture nuclear bombs, or with a change in leadership at the helm of the Soviet Union. What is the best strategy? Should we change our emphasis? Or would we be letting down our guard to once again be unprepared if war should come to us?

These are among the questions that need answers.....The "primacy" role for nuclear attack preparedness over peacetime disaster and emergency planning should be reviewed to see if it remains the greatest priority today as it has been in the past.

And there are other challenges to be put on the priority list: strengthening our leadership role in earthquake hazard reduction to lessen the loss of lives that could occur when--not "if"--that catastrophic earthquake does hit.....improving the capabilities of local emergency teams in responding to the ever-growing number of hazardous materials spills.....looking at flood control measures through our flood-plain management programs to find better ways of holding back flood waters from devastating whole communities.....discovering still better technology that will help protect the lives of the Nation's fire service when they put their lives on the line to save us from death by smoke and fire....implementing an urban search and rescue initiative that will result in fully equipped and trained teams strategically placed throughout the Nation, ready at a moment's notice to respond to a disaster scene to save American lives.....

FEMA is a small agency. It numbers only 2500 people nationwide. But it has a large and important mission, and it is staffed by men and women dedicated to its mission. I would be proud and honored to be able to serve as its Deputy, and to help lead that staff in the kind of management and organization that will help them do an even better job preparing for and performing in time of emergency.

Question 3. What do you consider to be your basic role and responsibilities as Deputy Director of FEMA?

Answer. My first role is to support and advise the Director of FEMA in formulating, setting and implementing the policies and programs of the Agency. My second is to develop the right kind of management practices and initiatives that will allow me to assure that those responsibilities he delegates to me are carried out in the best interest of the government.

Third, but perhaps most important, will be to act as Director of the Agency whenever the Director has to be absent, and to ensure that his directions, his policies, and his goals continue to be answered during any such periods.

Question 4. What objectives would you like to achieve in your tenure as FEMA Deputy Director, and why?

Answer. First, I would like to see those challenges we have already discussed be addressed, answered, and accomplished during my tenure.

Second, I look forward to working very closely with Director Designee Wallace Stickney.

I would also like to work toward improving the image of FEMA. This can be accomplished by continuing and expanding cooperation and communication with the Congress, the media, constituent organizations, and the general public.

With the 140 programs that FEMA has responsibility for, I think it is important to further unify the collective efforts necessary to fulfill the missions of the Agency.

And, I would like to see a cross-training of all agency personnel so that all of its staff would be ready to respond and help during any type of emergency and so that each would understand the other's important role and how all of the Agency's programs fit together in a fabric woven to protect the American people.

In the same vein, I also would like to see an even stronger bond and partnership built among the other Federal agencies, and States and local governments, in planning, training and exercising together to be ready to respond effectively to all emergencies. Additionally, I would like to expand that partnership already begun with volunteers and volunteer agencies to help get the job done.

With the mission and talent that reside in FEMA and with a renewed commitment to provide the American people the best service and support possible, with excellence and integrity as our credo, there is no end to what we can accomplish.

Question 5. How do you envision your relationship and the nature of your responsibilities as they relate to: (a) the Director, and (b) the Inspector General, of FEMA?

Answer. My relationship with the Director of FEMA needs to be one not only of support, but analyzing issues and recommending solutions, of acting as a sounding board for his thoughts and ideas.....from developing a good working relationship with the other Agency leaders to develop a strong management team to carry out his priorities, goals and objectives to ensuring that the Agency's equal opportunity missions are being met.

I will support and work closely with the Inspector General and his office to assure that they have the cooperation and resources necessary to meet the very important responsibility set forth in the Inspector General Act of 1978, as amended.

I personally believe that it is critical that the spirit as well as the letter of the law be adhered to.

Question 6. Do you see any need to revise or change the current organizational structure of FEMA?

Answer. I do not feel I can answer that question at this time. While I have been briefed on FEMA's organization, its functions, and its programs, it is much too early to assess any such need.

I would need to work within the agency for at least a few months before recommending any organizational changes. If I felt the need was there, I would so advise the Director. And of course, the Congress would be informed of any significant changes.

III. FEMA POLICY AND MANAGEMENT ISSUES

Question 1. There has been significant criticism of FEMA for an over-emphasis on civil defense preparedness in the allocation of Agency resources. At the present time, FEMA spends approximately three quarters of its funds on civil defense and Federal contingency plans for carrying on government operations in case of nuclear war.

Given the recent nationwide series of natural disasters (hurricane, earthquake, flood, and tornado) which have required FEMA responses, what are your views on how the Agency's budget should be allocated toward natural disaster relief and recover?

Answer. I believe this question indicates a very serious, but common misunderstanding of the role of civil defense in 1990. Civil defense is an all hazards program. It is inclusive, not exclusive. Its people, facilities and equipment, plans and procedures, and training exercises, all focus on all hazards -- natural disasters, technological hazards, and national security. Its communications systems and warning programs are used extensively for natural and technological disaster purposes. The National Warning System (NWS) was activated 7000 times in 1989 for natural disasters; the Emergency Broadcast System (EBS) was activated by governors and mayors 1200 times. I do not know how criticisms can be focused on these " attack" programs that are used almost exclusively for natural disasters.

I might mention that no other FEMA program funds the development of emergency operating centers (EOCs), State and local communications and warning systems, or provides the personnel and training for State and local governments in all hazards as does civil defense. Fully 98 percent of the all-hazards State and local emergency management personnel that are funded in whole or in part by FEMA are funded by civil defense.

Disaster relief is provided by the President's disaster relief fund. This fund is authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act which was recently enacted by the Congress.

Question 2. With the advent of democratically-elected governments in Eastern Europe, and the threat of nuclear war much more remote, many analysts have suggested that FEMA's emphasis on nuclear war contingency planning -- as established in the Federal Civil Defense Act -- should be reexamined in light of these recent events.

What thoughts do you have on this issue, and would you support a reconsideration of FEMA's priorities?

Answer. The Administration is undertaking a policy review of the Civil Defense program. Results of this review will be provided to the Congress as part of the FY 92 budget and authorization hearings.

Question 3. How do you view your role, as Deputy Director, in the management and operation of FEMA's civil defense and Federal contingency programs? Have you discussed your responsibilities in this area with the Director-Designate, Wallace Stickney? If so, what is your understanding of what he expects of you?

Answer. The Director Designate, Wallace E. Stickney, has advised me that he expects me to assist him in the overall direction of these programs.

Question 4. Most of FEMA's budget is directed toward civil defense, as opposed to disaster relief. However, the civil defense staff is intended to be of dual use.

To what extent should FEMA civil defense personnel be available for disaster relief efforts in catastrophic situations? Were civil defense personnel used in relief efforts following Hurricane Hugo and the Loma Prieta earthquake? If so, what conclusions can you draw about the operational effectiveness of this policy?

Answer. I have already mentioned that less than 20 percent of FEMA's budget and less than 15 percent of its staff are funded by civil defense.

All FEMA staff should be available for emergency assignments. Civil defense personnel were assigned from Headquarters to help staff disaster operations in Puerto Rico, the Virgin Islands, South Carolina, and California. I do not have records on the Headquarters staff from the Office of Civil Defense who were assigned to the disaster operations.

I think the Agency has already drawn the proper conclusions:

1. All staff need to be trained in disaster operations; and,

2. The State and local staff funded in whole or in part by FEMA should also be offered the opportunity to volunteer for a period of time in disaster operations.

It is also appropriate to point out that civil defense and disaster assistance are "partnership" programs with the States and localities. Proper preparedness and training and exercises can be taught, but the attendance at these courses and the implementation of the principles are a State and local responsibility. Where these principles are implemented they work very well indeed. Where they are ignored, the responsibility for poor performance rests heavily with the States and localities, not just with FEMA.

Question 5. Some States, in the past, have been reluctant to conduct civil defense planning exercises for nuclear war. How do you think FEMA should respond to these situations?

Answer. FEMA's exercise requirements continue to be misunderstood. FEMA requires that every jurisdiction conduct exercises on a 4-year cycle. This cycle includes three functional exercises and one field exercise. Scenarios for exercises rotate between natural disasters, technological hazards, and national security.

National security exercises include attack, mobilization, and continuity of government. Attack, as defined by the Civil Defense Act, includes nuclear, chemical, biological, bacteriological and conventional weapons, and they may be delivered by strategic, conventional, or unconventional means.

I do not find that type of exercise requirement to be too burdensome or over concentrated on "nuclear war." In fact, from the all-hazards approach to emergency management that civil defense uses, it seems to me to be a very sound and judicious approach.

You might be interested to know that the next CIVEX exercise for 1993 uses a Third World chemical weapons attack scenario.

Question 6. Emergency preparedness is a principal component of FEMA's emergency management responsibility. There were numerous reports of confusion and inadequate knowledge of procedures during the aftermath of Hurricane Hugo, as well as questions about the extent of relevance of FEMA's training courses.

What measures would you propose in the agency's emergency preparedness programs to address these concerns?

Answer. I have not heard any complaints about FEMA's training courses. The existing courses appear relevant and helpful.

In fact, the State of Iowa has written to thank FEMA for the training courses and the mandates for exercising, and expressed how much these activities contributed to the excellent response by Woodbury County and Sioux City officials to the airline disaster last year.

The Office of Civil Defense has been pressing for an expansion of training to offer more to State and local officials in the area of response and recovery operations.

FEMA's Disaster Assistance Office, Civil Defense Office, and the Office of Training are meeting next week to discuss this expansion to the curriculum at the Agency's Emergency Management Institute (EMI) in Emmitsburg, Maryland. I support these efforts.

Question 7. FEMA attracted considerable criticism for its failure to expeditiously assist State and local governments in the wake of Hurricane Hugo. What has been done, or what will you do as Deputy Director, to assess the Agency's response efforts to State and local entities in such emergency situations?

Answer. An analysis of the lessons learned by FEMA from Hurricane Hugo are most valuable.

First, they will show us the problems that must be overcome in order to deal with such large events. In addition, they will enable us to revise the direction of those programs that could not adequately respond, and to develop guidelines, regulations and, yes, even to propose legislation in those areas where we must make significant changes.

We have a wealth of experience in FEMA and the many Federal, State and local agencies involved with Hugo which will now lead us to improving our response and recovery capabilities.

Question 8. State and local officials have also complained of the inadequacy of disaster assistance information made available from FEMA to them and their citizens. What do you believe can be done to improve the dissemination of information following natural disasters?

Answer. FEMA is very limited in its public information capabilities. We have only eight fulltime staff to serve all of the Agency's programs, yet the needs and expectations arising from Hurricane Hugo far exceed this capability. It was only through the efforts of our disaster reservists and the few limited fulltime staff that we were able to accomplish a minimal public information program.

Insofar as our resources go, we will look for ways to improve our performance, but, in all fairness, we have a "shoestring" public affairs program trying to serve a very broad need. It happens that additional resources may be necessary to permit the public information staff to perform its very important mission.

Question 9. The 1988 amendments to the Stafford Act established new authority for hazard mitigation assistance to communities affected by major disasters. Considering the interest State and local officials have expressed in this new authority, do you expect any delays in starting this program immediately upon publication of the final regulations?

Answer. The Hazard Mitigation Program authorized by the Stafford Act (Section 404) is currently available and the Agency has issued interim regulations for its implementation. Several projects have already been funded and many State and local governments are reviewing potential projects for inclusion in their recovery efforts.

Question 10. The General Accounting Office recently testified before Congress that FEMA experienced significant coordination problems following Hurricane Hugo. There was uncertainty about the roles local, State and Federal agencies should play. In addition, there were difficulties in coordinating the activities of FEMA and Department of Defense installations.

a) What assessments would you make? Is there a need to improve coordination between and among these entities? If so, how would you?

b) Do you think any legislative changes should be made to further clarify FEMA's coordinating role?

Answer 1. Much was learned from the response to Hurricane Hugo. However, we saw that all levels of government must respond in such catastrophic or near catastrophic situations and the base resources of the Department of Defense, when used wisely, can be a major factor in such efforts.

Answer 2. FEMA is currently assessing the Stafford Act. It is clear that FEMA's coordinating role is critical to this process and any legislative changes should strengthen, as well as highlight, such responsibility.

Question 11. It has been reported that officials in the White House took control of the Federal response to the Loma Prieta earthquake after the criticism surrounding the response to

Hurricane Hugo. Do you think that the disaster relief responsibilities of FEMA should reside with the President's office, as set out in the Stafford Act, and not be delegated to FEMA?

Answer. The President has delegated responsibility for the Stafford Act to the Federal agency most able to manage this activity - FEMA. With adequate resources, FEMA can very capably manage the programs included in the Stafford Act. Both Hurricane Hugo and the Loma Prieta earthquake overwhelmed FEMA's resources, but not its capacity to manage the Stafford Act.

Rather than take control of the Federal response, the White House gave extraordinary support to the Agency and its dedicated disaster staff. The White House responded with both immediate decisions to initiate Federal aid, as well as showing tremendous compassion for the victims.

Question 12. FEMA has been criticized recently for its failure to coordinate National Emergency Medical Services. Questions have been raised over the protracted development of the National Disaster Medical System, the cancellation in 1987 of projects to improve pre-hospital and in-hospital mass casualty preparedness and the reluctance to develop a comprehensive training strategy for emergency and disaster medical services. What thoughts do you have on these issues and how would you address them as Deputy Director?

Answer. Since its inception in 1985-1986, the National Disaster Medical System has played a vital role as the Nation's planning and delivery mechanism to provide medical assistance and hospital beds in domestic or military emergencies. FEMA's role is the coordination of mobilization planning and preparation for medical assistance. The Departments of Health and Human Services, Defense, and Veterans Affairs are the major resource agencies.

Significant progress in NDMS planning and capability has been made. A NDMS unit from Albuquerque, NM participated in RESPONSE 89, a catastrophic earthquake exercise conducted in Sacramento, CA in August 1989. The same M.A.S.H. unit deployed to St. Croix in the wake of Hurricane Hugo a few weeks later to replace a destroyed hospital and treat victims for several weeks. Later this year, NDMS will exercise units in a large scale castastrophic earthquake exercise in Memphis, TN, along the new Madrid Fault in the central U.S.

As Deputy Director, I will consistently seek to maintain the vital plans and capabilities in place. And, working in close coordination with the other three agencies that are the central health resource agencies, seek to expand the volunteer health professionals emergency program.

Question 13. Flood disasters in the Southwest have refocused attention on the National Flood Insurance Program. During the Reagan Administration, this Program became self-supporting. Premiums were increased to obtain this objective and some homeowners dropped out of the Program. Do you believe FEMA should continue to manage this Program? Do you believe it is wise public policy to exclude at-risk homeowners from this Program?

Answer. I believe FEMA should continue to manage the National Flood Insurance Program. FEMA not only has done an outstanding job in managing this Program, but this Program's objective fits very well with FEMA's role to assist in the financial recovery after a disaster and encourage local and State actions that will mitigate against our Nation's vulnerability to natural disasters. The statutory objective of the National Flood Insurance Program is to require local government enforcement of FEMA minimum flood plain management standards. These standards have significantly reduced the risk of flood damage to buildings constructed to meet these FEMA standards. Eleven years of actual insurance experience (1978-88) show that buildings constructed after the FEMA standards were adopted by communities are 78 percent less likely to suffer flood damage than those buildings constructed prior to the adoption of the FEMA standard.

To answer the second question it is important to note that under the statutory provisions of the National Flood Insurance Program the only at-risk homeowners excluded from the Program are those homeowners residing in communities that have voluntarily chosen not to participate in the Program or do not adopt and enforce the FEMA standards,or in the case of a participating community the local government official has cited a property to be in violation of the ordinances governing the community's flood plain management. I believe under these circumstances it is wise public policy to exclude those at-risk property owners from the availability from lenders regulated by Federal instrumentalities, and the availability of Federal flood disaster relief that provides the leverage to encourage local governments to adopt and enforce good flood plain management ordinances.

To answer the third question concerning the National Flood Insurance Program I believe it would be most helpful to provide the full statement of the goal as expressed in FIA's planning documents:

Implement a self-supporting nationwide flood insurance program by 1988 which minimizes the general taxpayer burden through an equitable sharing of the costs of flood losses; fulfills the financial need in risk transfer for the average loss year and has mechanisms in place to develop reserves or otherwise meet the needs of catastrophic loss years; results in rates which are not excessive, inadequate, unfairly discriminatory or otherwise unreasonable; responds to competitive market conditions; improves the availability and reliability of flood insurance; and does not violate public policy. Study the feasibility of proposing legislative initiatives to permit a systematic phase out of program subsidies. In addition to rating and coverage changes, this goal will be achieved through appropriate support of and commitment to Write-Your-Own (WYO) and loss reduction activities.

A key term in the statement of the goal is "average loss year," which in this case refers to the historical average loss year. Over the NFIP's history, the Nation has not been subjected to several truly catastrophic flood events. Thus, the historical average is substantially less than could be expected over the long term when the influence of the extremely infrequent, truly catastrophic flood would raise the resulting average year's losses.

Although the National Flood Insurance Program has not needed appropriations or borrowing authority since 1986 to finance the Program, it would be wrong to assume that premium income alone could support the Program. The National Flood Insurance Program has come a long way in meeting the statutory objective of distributing the financial burden of the Program "equitably among those who will be protected by flood insurance and the general public." The average annual premium for a property built in compliance with the FEMA standards at present is about $210. This $210 average annual premium is a full risk premium; there is no taxpayer subsidy in these premium charges. On the other hand, properties constructed prior to the FEMA standards pay a subsidized premium which on the average is about $340 annually, or about one third of what would be required for an actuarially sound premium charge. So as a practical matter, the National Flood Insurance Program cannot over the long term remain without the need for Federal subsidies. Therefore the question arises: Should the Program's insurance rates be reduced in the hope that more property owners would purchase flood insurance?

There are two important reasons for not reducing flood insurance rates. First, history has shown that inexpensive, heavily subsidized flood insurance did not encourage the voluntary purchase of flood insurance. Further, there have been studies

made of human behavior that have concluded most people will not purchase natural catastrophe insurance protection even if they are aware of the risk. This is one of the reasons that Congress correctly concluded that flood insurance must be purchased on new mortgage transactions involving a property located in a special flood hazard area. The National Academy of Sciences and the National Academy of Engineering have both gone on record encouraging FEMA to continue its efforts to "make the total program financially self-sufficient." The study that FEMA performed in conjunction with the GAO 1983 report on the Program's self-supporting goal showed that most of the fluctuations in the number of new policies could be attributed to housing mortgage activity and insurance purchased as a condition to obtain Federal disaster relief. The second important reason not to reduce flood insurance rates is that inexpensive, heavily subsidized flood insurance with broad indemnification provisions encourages owners of existing flood prone properties to increase their capital investment in those risky properties. Through the use of increased insurance rates and leaner coverage so that the property owner still bears some meaningful risk, this threat of expansion of flood risk can be managed and still protect these individuals from severe financial losses. To ignore economic leverage as a flood plain management tool, particularly with respect to existing construction, where Federal regulations have little effect, would be a mistake.

Question 14. A recent FEMA Inspector General's report called for an "in-depth," independent assessment among the various programs and organizational elements of FEMA aimed at "studying the adequacy of resources allocated to staff offices providing support for the Agency's program operations." Some analysts contend that FEMA has suffered from chronic understaffing in certain key areas, such as the General Counsel's office, which have delayed critical legal opinions.

As Deputy Director, how will you respond to these assertions? Will you give support to such a study?

Answer. Any agency with as many different programs and responsibilities as FEMA requires more administrative overhead than the typical straight-line agency. This is more true with an agency whose responsibilities provide emergency support to disaster victims, prior to, during, and following the emergency. I am interested in looking at the resources available to carry out the Agency's missions and goals. I am interested in any means of assuring maximum utilization of those resources now available, and if necessary, taking steps to attain additional resources.

Question 15. There have been published reports which suggest that contracts associated with FEMA's classified contingency preparedness plans may be under Federal investigation for

over-charges, double billings, and mismanagement and other possible abuses. Are you aware of these allegations and what will you do as Deputy Director to follow up on these charges?

Answer. I am personally aware of what published reports suggest Federal investigations of FEMA's classified programs. Further, I am not at present briefed into these programs, but, if confirmed, I will be briefed and will at that time exert the full weight of my position as Deputy Director into the resolution of any allegations and ongoing investigations and keep the appropriate committee of the Congress informed.

IV. RELATIONS WITH CONGRESS

Question 1. Do you agree without reservation to respond to any reasonable summons to appear and testify before any duly constituted committee of the Congress, if confirmed?

Answer. Yes.

Question 2. Do you agree without reservation to reply to any reasonable request for information from any duly constituted committee of the Congress, if confirmed?

Answer. Yes.

QUESTIONS OF SENATOR JIM SASSER ON NOMINATION OF JERRY D. JENNINGS TO BE DEPUTY DIRECTOR OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY ON MAY 23, 1990

1. Q. We've all heard various predictions of when an earthquake will strike a given area. As you know, the New Madrid Fault extends from Cairo, Illinois to Marked Tree, Arkansas, which is just 35 north of Memphis. Dr. Arch Johnston, Director of the Center for Earthquake Research and Information at Memphis State University, has predicted that "there is a 50-50 chance that a magnitude 6.0 earthquake will strike Memphis by the turn of the century." Assuming these predictions are accurate, what kind of emergency preparedness plans does FEMA currently have in place, in conjunction with State and local emergency teams, to address the potential disaster along the New Madrid Fault? To what extent, if any, did the Loma Prieta quake require FEMA to reassess and update emergency response plans for the New Madrid Fault?

   A. FEMA has long recognized the threat of an earthquake along the New Madrid fault. As part of the agreement with the Central U.S. Earthquake Consortium (CUSEC), a FEMA funded, coordinating organization composed of the seven States with the highest risk from an earthquake along the New Madrid fault, several workshops have been conducted in conjunction with the Federal plan for response to a catastrophic earthquake. These workshops are attended by representatives from the seven States. Workshops have been held on transportation, communication, and public information. It is expected that at least one workshop will be held every 90 days.

   In addition, FEMA provides financial assistance to the seven States affected by the New Madrid fault for the development, revision, and exercising of earthquake response plans and the maintenance of an earthquake hazards reduction program.

2. Q. Memphis, unlike San Francisco, does not have in place stringent building codes to mitigate potential earthquake damage. Buildings in Memphis are unreinforced and, therefore, very vulnerable in the event of an earthquake. Also, unlike San Francisco, which sits atop a rock bed, Memphis is situated on very loose and unconsolidated soil. These two factors make Memphis even more vulnerable than Santa Cruz and San Francisco to extensive damage in the event of an earthquake. Since building codes can't be changed overnight, what sort of technical assistance is FEMA providing to cities like Memphis which sit on major fault lines but do not have the stringent building codes of a San Francisco?

A. FEMA provides technical assistance to States, local governments, civic groups, and the private sector in several ways:

1. FEMA provides personnel with expertise in seismic design and construction to assist State and local governments in developing or upgrading building codes to include seismic provisions. Experts were provided to such cities as Memphis, Jonesboro, AR, Charleston, SC, and New York in assisting them in the development and promotion of seismic provisions in building codes. As a result, for example, the city of Memphis and Shelby County have adopted the latest edition of the Southern Standard Code which contains seismic provisions and the State of Tennessee is expecting to adopt a statewide code which will include seismic provisions.

2. One of FEMA's Earthquake Program elements is the development of design practices and manuals. FEMA has expended approximately $13 million on this element through FY 1990. As a result, FEMA has published 32 reports (with over 35,000 copies distributed to the public) which are a part of our technical assistance to State and local governments. These reports include recommended provisions for the development of seismic regulations for new buildings (which are updated every 3 years), screening tech- niques for determining seismically hazardous buildings, techniques to seismically rehabilitate existing buildings, and a set of publications which address lifelines.

3. FEMA has also developed and sponsored a course which addresses seismic provisions for new construction for a variety of audiences including State and local officials. Also, a number of workshops and conferences are sponsored by FEMA.

3. Q. The confusion and miscommunications that followed Hurricane Hugo seemed to point out a gap in our emergency preparedness education efforts. Without developing a "disaster mentality," what can FEMA do to improve State and local efforts to educate and prepare their citizenry in advance of a catastrophe, particularly those persons in high risk areas.

A. Within the Civil Defense program, the need for increased emphasis on public awareness, emergency public information and preparedness and self-help at the family and neighborhood levels was recognized in late 1987 in the President's Civil Defense Policy which includes specific objectives for informing the public on threats and ways to increase the chance of survival and to encourage civil defense volunteer efforts.

Beginning with the FY 1989 and continuing in the FY 90 and 91 Civil Defense budgets, we requested funds for enhanced efforts in these areas which had long been neglected. As a result, we developed and distributed in 1989 and 1990 multi-hazard public awareness materials and tools for use by State and local governments and volunteer groups. These included civil defense speaker's kits covering a range of emergency preparedness information, multi-hazard civil defense exhibits, awareness posters and several new awareness publications including one specifically directed at individuals and one for State and local governments. A sampling of some of the information materials is available from FEMA's Office of Congressional Affairs on (202) 646-4500.

We are currently updating all our radio, print and television Emergency Public Information materials which would be used during a crisis period to provide critical information and instructions, much of it multi-hazard in application. In addition, we are developing an Emergency Public Information (EPI) plan which describes a dual strategy for: (1) public awareness and education in the pre-emergency and crisis periods; and, (2) emergency public information in the crisis, emergency event and post-event periods. The plan which is nearly complete identifies specific materials we intend to produce and activities we intend to undertake to inform and educate both the media and the public.

In the volunteer and self-help area, we are addressing the need to prepare Americans at the family and neighborhood levels to be able to protect themselves and be able to survive on their own in the initial stages of an emergency. We have developed a family protection program that began in FY 1989 with limited funding and staff resources. This effort has resulted in development of the Civil Defense Speaker's Kit, along with displays and posters which were mass produced under the public information program. Three family protection conferences have been held with national volunteer groups, social service groups, religious, and veterans groups and State and local government representatives to focus on informing and educating the public on ways to organize and prepare citizens for emergencies. A fourth conference will be held in December to focus on a specific action agenda and approach to family protection activities. In addition, a Family Food and Water Emergency Preparedness Brochure will be completed and distributed in the Fall of 1990, and a 20 minute broadcast quality civil defense videotape to be shown by local civil defense directors to citizens groups over local television stations is being produced. This videotape focuses on the message that disasters can happen anywhere and that citizens should take common sense preparedness measures now. In late 1990, we plan to distribute about 3500 of these tapes

nationwide. Furthermore, we are beginning work on a comprehensive family emergency preparedness handbook with prototype checklists and family emergency plans on how to put an emergency kit together. We plan to develop a neighborhood oriented emergency preparedness primer for use by citizen activists who wish to organize their communities for emergency preparedness. In conjunction with this effort, we shall develop family protection television and radio public service announcements.

With all of the aforementioned efforts, we are developing a Civil Defense Family Protection Program plan which will establish a strategy and plan for actively working with State and local governments and national volunteer groups to prepare families and neighborhoods for emergencies. Emphasis will be on organizing at the family and neighborhood levels in high risk areas and on encouraging families to have a 72 hour emergency survival kit. FEMA will provide the emphasis and key materials and resources to assist State and local governments in preparing their citizens to help themselves when a disaster occurs.

In addition to these Civil Defense Program efforts, the Hurricane and Earthquake Preparedness Programs in FEMA have worked with State and local governments to develop preparedness plans for evacuation from hurricanes, which resulted in saving thousands of lives when Hurricane Hugo struck the South Carolina coast, and in doing preparedness earthquake exercises, which resulted in a better prepared State government when the Loma Prieta earthquake occurred in California. Furthermore, we have active public awareness campaigns to educate the citizens of high risk hurricane and earthquake areas about the perils that they face from these types of disasters. For example, FEMA has worked with the Children's Television Workshop in developing materials for children on earthquakes and hurricanes. A copy of the earthquake kit and a list of earthquake preparedness and hurricane preparedness publications and other information is available from FEMA's Office of Congressional Affairs on (202) 646-4500.

All of these efforts are leading to a better informed populace on the threats of disasters, both natural and technological, and in the end will save lives, will reduce property damage and will have a diminishing effect on Federal budget outlays.

4. Q. You have stated that the Agency's role is that of "long term responder rather than first responder" to emergency situations. Yet when a disaster strikes, our citizens look to the Federal Government for leadership. Shouldn't that be the case?

If it's physically impossible for the Federal emergency team to be "first on the scene" at every natural disaster, what can FEMA do to assure that there won't be a gap in the necessary response effort?

Are there regional emergency preparedness teams in place that are better situated to step in and provide the initial leadership until Federal response teams can arrive at the site of a natural disaster?

A. Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (PL 93-288, as amended), FEMA is responsible to coordinate the Federal Government response to major natural disaster incidents. The process normally begins with FEMA and other agencies working with State officials to assess the situation and conduct preliminary damage assessments, if necessary, to determine the scope of the disaster.

In the normal sequence of events for a routine disaster, the local government and the State address response requirements, followed by the Federal Government providing supplemental assistance to aid the State in the recovery phase. However, in some instances where a State is severely impacted, the Federal Government may be required to provide immediate response assistance to supplement the State's efforts to save lives and protect property such as FEMA did in the Virgin Islands and Puerto Rico after Hurricane Hugo devastated those areas.

To insure that there is an immediate Federal response, after a disaster incident, the affected FEMA Regional Office sends out a team to meet with the State and conduct the preliminary damage assessment. In fast-moving situations or in a potentially catastrophic event where a major disaster declaration is likely, the Region may also deploy staff to the field to undertake initial operational activities such as locating a disaster field office and working with the State to facilitate the delivery of disaster assistance. For events requiring both response and recovery, this advanced element will include representatives of appropriate agencies to support response activities.

5. Q. Briefly describe the role which you anticipate volunteers will assume as part of FEMA's effort to rebuild its credibility.

A. While the Stafford Act permits the President to accept donations of service, we do not anticipate extensive use of this authority for two major reasons. First, a major disaster is declared when it is determined that the

capabilities of the State and local governments, as well as voluntary services, are not sufficient to provide the assistance needed. The availability of volunteers is not assured. Second, the kinds of work FEMA does and the working conditions in many disaster areas are such that FEMA finds it prudent to pay its employees. A number of years ago, FEMA relied heavily on volunteers to register applicants for aid but concluded that the technical nature of the job and high turnover among the volunteers created an unacceptable retraining workload and quality control problem.

However, you should know that FEMA maintains a close working relationship with the National Voluntary Organizations Active in Disasters (NVOAD), a group which contains all of the familiar names among the established voluntary relief agencies. FEMA also has a comprehensive Memorandum of Understanding with the American National Red Cross, a key feature of which is a provision for the Red Cross to coordinate, at FEMA's request, the activities of local voluntary relief efforts during and after major disasters. This has worked very well over the years. FEMA believes its relationships with the organized voluntary disaster relief agencies are good ones and that these relationships assure that government and private sector resources and capabilities complement each other.

Committee on Governmental Affairs Nomination Hearing
Jerry D. Jennings, Deputy Director,
Federal Emergency Management Agency
(May 23, 1990)

Question by Senator Wilson to be submitted for the Record

Senator Wilson

Mr. Jennings, as you are no doubt aware, California is still rebuilding from last October's Loma Prieta earthquake. The California Office of Emergency Services reported that 62 people died as a direct result of the earthquake, 3,757 were injured, and over 12,000 were displaced from their homes. Damage estimates are in the billions, and the rebuilding process will take several months, if not years when you consider the collapsed Nimitz Freeway and other heavily damaged areas.

I want to call your attention to one specific issue that has arisen over the past few months regarding FEMA's response and assistance to low-income and homeless persons and the extent to which FEMA has been able to respond to Bay Area local governments' concerns. The impacted counties and municipal governments continue to voice considerable frustration over FEMA's handling of the issue. The County Supervisors Association of California (CSAC) reports that perhaps the most significant impact of the Loma Prieta earthquake was the extensive and widespread loss of affordable housing. And as you know, FEMA was sued over its denial to assist this population.

In the settlement agreement, I understand that FEMA has agreed to fund rehabilitation and replacement of the destroyed housing units. Yet many issues regarding the implementation of this settlement appear to remain unresolved, and local officials continue to voice their frustration. The General Accounting Office indicated in testimony before a House subcommittee that this is one area where improvements are needed either through statute or administrative actions.

I do want to preface my remarks and say that in all fairness to FEMA, the Loma Prieta earthquake was the first disaster in which it had to deal with a large urbanized population, which includes many homeless and several homeless shelters and residency hotels. And I also believe that disaster assistance laws can never fully contemplate the damage and suffering a disaster of this magnitude can visit on one community or one region. Perhaps FEMA was not adequately equipped to address certain problems arising from the earthquake.

Senator Wilson question to Jerry Jennings
Page 2

I am confident the Congress will review these matters at greater length when the opportunity arises. Nevertheless, I would urge you in your new position to review the Agency's actions in this regard, and work to a timely resolution of these outstanding matters of concern. Specifically, what is your view of FEMA's authority to provide such assistance, and what actions do you intend to take in this area once you are confirmed? How would you improve communication and FEMA's relationship with the states and local government officials?

I look forward to reviewing your response to these questions as soon as is practicable.

Response to questions submitted by Senator Wilson

QUESTION: "....what is your view of FEMA's authority to provide such assistance, and what actions do you intend to take in this area once you are confirmed?"

ANSWER: My understanding is that there is no disagreement over FEMA's authority to provide the assistance agreed to in the settlement. Once confirmed, I will take whatever measures are necessary to expedite implementation of the settlement agreement.

To the extent that FEMA's goals and objectives for this program have not been accurately conveyed to State and local government officials, I will assure that our communications are regular, straightforward, and comprehensive, and that all problem areas are addressed. I will emphasize to FEMA personnel my desire to resolve this issue. I will also be available to discuss with State and local officials their concerns about implementation of the settlement.

QUESTION: How would you improve communication and FEMA's relationship with the states and local government officials?

ANSWER: FEMA has begun working closer with the National Governors Association, the National League of Cities, County Managers, and other intergovernmental organizations to develop better relationships and knowledge of FEMA programs - what it can and cannot do. I will make it a priority to see that this ongoing effort is emphasized and increased, by not just headquarters, but FEMA's Regional Offices as well.

31-873 (52)